

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, JULY 1, 1999  
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair  
Bob Workman  
Linda Steinman  
Larry Hudkins  
Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer  
Dave Kroeker, Budget & Fiscal Officer  
Diane Staab, Deputy County Attorney  
Dave Johnson, Deputy County Attorney  
Ann Taylor, County Clerk's Office

The Board approved a revised schedule of Board of Equalization Hearings on property valuation protests (Exhibit A).

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JUNE 24, 1999**

**MOTION:** Heier moved and Steinman seconded approval. On call Heier, Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

The Board directed Kerry Eagan, Chief Administrative Officer, to prepare a request for a County Attorney's opinion on whether County Board minutes need to reflect who is present during Executive Sessions.

**2 ADDITIONS TO THE AGENDA**

- a. Geotechnical Exploration Services for the Juvenile Detention Facility
- b. County-City Building Evacuation Plan
- c. Report on Meeting with Representatives of Lincoln Electric System (LES) and Norris Public Power District
- d. Report on Waverly Fire Department
- e. Planner for Stevens Creek Basin

**MOTION:** Hudkins moved and Steinman seconded approval of the additions to the agenda. On call Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

### 3 BUDGET UPDATE - Dave Kroeker, Budget & Fiscal Officer

Dave Kroeker, Budget & Fiscal Officer, reviewed Exhibit B:

- \* *Lancaster County, Comparison FY00 to FY99 Expense Budget*
- \* *FY00 Budget, Possible Adjustments to Agency Budgets*
- \* *RODS Phase II Proposal (Internet Access) for the Register of Deeds (\$700 Increase)*
- \* *Billing Statement for Tesseract Payroll System (County Share 50%)*

Board consensus to approve 100MG Ethernet Hub and a laptop computer, for a total of \$8,010, for Noxious Weed Control Authority.

Kroeker also reviewed Exhibit C:

- \* *Lancaster County, Employees by Agency, Last 5 Years*
- \* *Lancaster County, Employees by Agency, Change from FY99*

**MOTION:** Workman moved and Steinman seconded to approve the addition of one full-time employee, as previously approved, for the Register of Deeds. On call Workman, Steinman, Heier and Campbell voted aye. Hudkins voted no. Motion carried.

**MOTION:** Heier moved and Steinman seconded to place the request for a receptionist who will be responsible for the issuance of badges to individuals visiting the District Court Judges in their chambers on pending until the Mid-Year Budget Review; to review the minutes of the Security Committee to determine whether that body had made a recommendation with regards to the position; to check on whether the Retired and Senior Volunteer Program (RSVP) could provide a volunteer to perform the service and to consult Terry Wagner, Lancaster County Sheriff, on the security issue. On call Heier, Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

**MOTION:** Steinman moved and Heier seconded to approve the addition of one attorney for the Public Defender. On call Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

**MOTION:** Hudkins moved and Heier seconded to approve the addition of one Civil Deputy for the County Sheriff. On call Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

**MOTION:** Steinman moved and Workman seconded to approve the addition of a receptionist and the requested change in salary and benefits from an Investigator position to an Administrative Aide, with 60% reimbursement of costs, for the County Attorney. On call Heier, Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

Board consensus to continue to discussion of the long-range plans for the Child Support Division with Gary Lacey, County Attorney.

Bruce Medcalf, County Clerk, appeared and requested that his office retain the Records Specialist II position, without funding at this time, to allow the flexibility to move a Records Specialist I into that position. He also stated it may be necessary to hire temporary clerical staff to cover absences.

**MOTION:** Hudkins moved and Heier seconded to decrease the number of full-time employees in the County Clerk's Office from 11 to 10, with review of staffing needs at mid-year. On call Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- 4 **WILDERNESS PARK** - Jim Morgan, Parks & Recreation Department Director; John Bradley, Interim Planning Director; Nicole Fleck-Tooze and Mike DeKalb, Planning Department; Glenn Johnson, Lower Platte South Natural Resources District; Ralph Medina, Nebraska Emergency Management Agency; Steve Hubka, City Budget Director

Also in attendance were: Terry Genrich, Parks & Recreation; and Estel Schroeder, Judith Cook and Jack Wagener, Lower Platte South Natural Resources District; Mary Roseberry-Brown and Chris Hain, Lincoln Journal Star.

### 1) Conservation Easement Grant for Land Near Wilderness Park

Nicole Fleck-Tooze, Planning Department, explained that the Federal Emergency Management Agency (FEMA) Mitigation Grant Program is a result of the October, 1997 snowstorm disaster. This state-wide grant program provides an opportunity to mitigate for potential future disaster damages, which includes flood damages. Funding of projects is on a cost share basis, with a 25% local match required. She noted that 1.1 million dollars remain available for funding of projects, with the deadline for formal grant application extended to July 21<sup>st</sup>.

Fleck-Tooze stated that the project, which is new for FEMA, must be located in the 100 year floodplain. She stated the focus was placed on the Wilderness Park area and 60 landowners were contacted to gauge interest in the project. Fleck-Tooze reported that 10 landowners indicated interest in conservation easements and six were submitted to FEMA for consideration. She indicated the project area and these properties on a *FEMA Mitigation Grant Program Potential Conservation Easement* map, noting that a couple of these properties have a potential conflict with the South Beltway Corridor, a fact that will be noted in the grant application.

Fleck-Tooze explained that the conservation easements will restrict use of the property and prohibit construction of new structures, although structures related to outdoor recreational use, such as trail bridges, would be permitted if they did not cause obstruction of flood waters or fill.

Fleck-Tooze reported that preliminary assessments of the value of the conservation easements have been completed, reducing the highest and best use of the land to agricultural value. The total value for the six properties submitted to FEMA, which are the Kopp, Poskochil, Theer, Schrader, Hollamon and Greiger properties, is estimated at 3.4 million.

In response to a question from Heier, Fleck-Tooze stated conservation easements reduce overall property value, which may result in a lowered tax assessment.

Kerry Eagan, Chief Administrative Officer, read portions of the Conservation Easements Act (Nebraska Revised Statutes 76-2,111 to 76-2, 118 and 77-1359), stating that the restricted use of the property must be considered when setting the value.

Fleck-Tooze stated that since funding is limited, prioritization is necessary. She stated that consideration may also be given to purchasing conservation easements that preserve properties along key corridors and greenways along floodplains and drainage ways throughout the City and County, noting that Mayor Wesely has instructed the Planning Department to initiate development of a strategy for preserving areas, either through purchase of easements or property, along Salt Creek, Stevens Creek and Little Salt Creek.

Ralph Medina, Nebraska Emergency Management Agency, stated that since this is a model project, FEMA is still assessing how to develop values for the conservation easements, based on future development potential for the purpose of cost benefit analysis.

Steve Hubka, City Budget Director, suggested that the local match amount be split by the City, County and the Lower Platte South Natural Resources District (NRD).

In response to a question from Glenn Johnson, Lower Platte South Natural Resources District, Medina indicated that the property owner could accept 75% compensation for the conservation easement and an income tax deduction in place of the 25% local match. He noted that Community Development Block Grant funds have been used for local match in other projects.

In response to a question from Campbell, Medina stated that FEMA generally requires completion of a project within two years of the citation of funds.

Fleck-Tooze commented that a tighter timeframe may be necessary, as one of the properties submitted in the proposal may be offered for public sale in the near future.

Brief discussion took place on establishment of priorities, with the following suggestions:

- \* Capture of floodplain and stream channel
- \* Extension of Wilderness Park and the trails system
- \* Buffer for future projects

The Board requested the Planning Department to convene a committee consisting of Kerry Eagan, Chief Administrative Officer; Doug Ahlberg, Emergency Management Director; and representatives of the Lower Platte South Natural Resources District (NRD) and Parks & Recreation to prioritize easement purchase.

## 2) Transfer of Ownership to Lower Platte South Natural Resources District

Heier said he had raised the issue of transferring ownership of Wilderness Park because he felt the County lacked expertise in the area of park management and flood control.

Glenn Johnson, Lower Platte South Natural Resources District (NRD), responded that the Lower Platte South NRD Board has not had an opportunity to discuss the proposal to assume ownership of the park. He did note, however, that the recent Army Corp of Engineers hydrology study of Wilderness Park reinforced the park's role in floodplain storage and flood management for the greater community.

Jim Morgan, Parks & Recreation Department Director, reported that Mayor Wesely had asked him to convey that the City is interested in assuming ownership of Wilderness Park, although time to create funding and community consensus is requested. He noted there is an existing interlocal agreement between the City and the NRD for stream channel maintenance.

Steinman questioned whether City ownership would restrict expansion of the park.

Mike DeKalb, Planning Department, suggested that the City, County and NRD continue their coalition efforts with regards to expansion of the park system and trails and conservation easements.

John Bradley, Interim Planning Director, noted that consideration should also be given to police and fire protection with expansion.

Campbell suggested that further action be delayed until all the Wilderness Park Sub-Area Study Reports are completed.

Hudkins requested that the conservation easements be concentrated in the area of the stream corridor from the area of the Poskochil property to Roca, to include the stand of burr oak trees.

Fleck-Tooze agreed to contact landowners in that area to gauge interest.

In response to a question from Steinman, Johnson stated that conservation easements would not restrict selection of the South Beltway Corridor route, but a park designation might.

**MOTION:** Steinman moved and Heier seconded to send a letter to the City of Lincoln and the Lower Platte South Natural Resources District Board stating that the County Board would like to initiate discussion on the future and appropriate ownership of Wilderness Park. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

Mary Roseberry-Brown, citizen, reported that the Conservation Fund and Nebraska Public Land Fund are willing to provide funds to governmental entities for conservation easements, provided there is later compensation.

Eagan noted there may be other federal funds available as well.

**5 MAINTENANCE AGREEMENTS FOR RECORDS & INFORMATION MANAGEMENT** - Brian Pillard, Records & Information Manager; Kathy Smith, Assistant Purchasing Agent

Brian Pillard, Records & Information Manager, stated that he had investigated, at the request of the Board, service providers for the microfilm processor and camera in his department. He reported that Microfilm Imaging Systems offers the lowest maintenance agreement and per call service rate for the processor equipment, but Kodak is the only vendor with the technology to service the camera. Pillard reported that service repair last year would have resulted in charges of \$2,414 for the processor and \$348 for the camera, had the maintenance agreement not been in place.

Kathy Smith, Assistant Purchasing Agent, reported that the 35mm camera in use is no longer manufactured and the Secretary of State has not agreed to accept scanned documents at this point in time.

**MOTION:** Steinman moved and Hudkins seconded to continue maintenance agreements on the microfilm processor and camera. On call Steinman, Workman, Heier, Hudkins and Campbell voted aye. Motion carried.

Smith distributed a detailed breakdown of office machine and unidentified maintenance categories in the County budget (Exhibit D). She suggested establishment of a policy that prohibits maintenance agreements for equipment with a replacement value less than \$2,500.

Smith reported that she will continue to investigate the possibility of self-insured maintenance of equipment.

Heier requested an inventory of capitol equipment.

Dave Kroeker, Budget & Fiscal Officer, stated that the County Clerk's Office could probably supply that information to the Board.

Heier suggested that vendors be requested to bid on maintenance contracts.

The Board requested the following:

- \* Establishment of a self-insured maintenance fund
- \* Development of an itemized capitol equipment list by mid-year
- \* Notification to agencies indicating that the correct budget object code for computer software licenses must be utilized in the future to ensure funding

**6 CONSTRUCTION MANAGER FOR YOUTH DETENTION FACILITY** - Don Killeen, County Property Manager

Campbell reported that Ron Eckert, who served as Construction Manager for Corrections facility, had contacted the County and offered his services for construction of the new youth detention facility.

Don Killeen, County Property Manager, briefly explained the duties of a Construction Manager. He stated he did not recommend hiring of a Construction Manager, noting that Greg Pettibone, Project Manager for the new Juvenile Detention Facility, and Jim Hille, Architect for the new Juvenile Detention Facility, will provide day-to-day oversight of the project.

Killeen stated that the project might merit use of the alternate method of Construction Manager/Contractor, generally referred to as CM at Risk, in which general conditions with a not-to-exceed budget are bid.

Eagan reported that Hille also believes hiring of a Construction Manager is unnecessary.

Campbell and Hudkins stated that they oppose hiring of a Construction Manager for this project, noting that circumstances are different than when the Corrections facility was constructed.

**MOTION:** Heier moved and Hudkins seconded to not engage a Construction Manager for construction of the Juvenile Detention Facility, at this time. On call Heier, Hudkins, Workman and Campbell voted aye. Steinman was absent from voting.

#### **BUDGET UPDATE CONTINUED**

Kroeker presented a price comparison for wood framed and metal framed chairs for the courtrooms in the Justice and Law Enforcement Center (Exhibit E).

**MOTION:** Hudkins moved and Heier seconded approval of Option Two, with metal framed chairs. On call Hudkins, Heier, Workman and Campbell voted aye. Steinman was absent from voting. Motion carried.

#### **7 REVIEW OF GRANTS FUND FOR FISCAL YEAR 1999-00** - Dave Kroeker, Budget & Fiscal Officer; Kit Boesch, Human Services Administrator

Kit Boesch, Human Services Administrator, briefly reviewed *Special Grants Fund, 1999-2000, Human Services/Justice Council* (Exhibit F). She indicated a total County match of \$304,932 is required for the five categories, which is less than the projected figure of \$365,000.

Kroeker recommended funding in the amount of \$2,082,970 at this time.

In response to a question from Campbell, Boesch stated that the Restorative Justice Proposal did not receive funding in Category 1.

Kroeker asked the Board for direction on whether to continue participation in the Medicaid Transfer Payment program for Lancaster Manor for the estimated amount of \$10,000.

Board consensus to continue participation.

## 8 ACTION ITEMS

- a. Appointment of County Commissioner to City-County Consolidation Committee

**MOTION:** Heier moved and Hudkins seconded to appoint Kathy Campbell, County Board Chair, to the City-County Consolidation Committee. On call Hudkins, Heier, Workman and Campbell voted aye. Steinman was absent from voting. Motion carried.

- b. Letter Regarding Preliminary Flood Insurance Rate Maps for Lincoln and Lancaster County

**MOTION:** Hudkins moved and Workman seconded to authorize the Chair to sign the letter to Federal Emergency Management Agency (FEMA) Region VII regarding Preliminary Flood Insurance Rate Maps (FIRMS) for Lincoln and Lancaster County. On call Hudkins, Heier, Workman and Campbell voted aye. Steinman was absent from voting. Motion carried.

- c. Grant Recommendations from Visitors Promotion Advisory Committee:
  - 1. \$500 for USA Powerlifting (Original Request - \$2,000)
  - 2. JubiLIED - Denial of Request for \$5,000

Campbell noted that Commissioner Steinman, the County Board's representative on the Visitors Promotion Advisory Committee, concurs with the recommendations.

**MOTION:** Hudkins moved and Heier seconded to approve the grant recommendations from Visitors Promotion Advisory Committee. On call Hudkins, Heier, Workman and Campbell voted aye. Steinman was absent from voting. Motion carried.

## 9 ADMINISTRATIVE OFFICER REPORT

- a. Use of Room 113 for County Board Meetings

Campbell indicated that she and Hudkins will discuss this issue in further detail with Mayor Wesely at a meeting scheduled later in the day. Additional items of discussion will include budget cuts in the Personnel Department and hiring a planner to start the planning process for the Stevens Creek Basin.

- b. Letter Regarding Sidewalks Near Pioneers Park

The Board requested Eagan to respond to letters from Roper Elementary School and the Southwest Lincoln Business Association regarding the lack of sidewalks from the school area (Coddington Street from "A" Street to Van Dorn) to Pioneer Park.

## 10 DISCUSSION OF BOARD MEMBER MEETINGS

### a. Master Plan Steering Committee - Hudkins

Hudkins reported that discussion focused on the elevator and the request for a receptionist who will be responsible for the issuance of badges to individuals visiting the District Court Judges in their chambers.

### b. Visitors Promotion Advisory Committee - Steinman

Eagan reported that grant requests were reviewed and depreciation of the Convention and Visitors Bureau's office furniture was discussed.

### c. Railroad Transportation Safety District - Heier, Steinman, Workman

Workman reported that the budget was approved, based on a maximum property tax levy. He noted that a deficit is projected by the year 2005 if projects remain on schedule.

Workman suggested consideration be given to transferring a portion of the Railroad Transportation Safety District's (RTSD) levy authority to the Lancaster County Agricultural Society to assist with start-up costs for the new Events Center, due to the State Auditor's concerns regarding the amount of RTSD funds held in reserve to fund delayed projects.

Campbell stated that she would be reluctant to approve such a measure, due to past assurances to taxpayers that levying for the Events Center would be limited to two years.

### d. Assessment Center Meeting - Heier, Steinman

Kit Boesch, Human Services Administrator, reported on a meeting held with juvenile detention experts from Des Moines, Iowa to discuss Assessment Center issues. She noted that suggestions include:

- \* Location of a Probation Officer in the Assessment Center
- \* Access to information in one location
- \* Have key personnel meet each morning to review cases

Boesch reported that all of the alternatives to detention should be operational by August 1, 1999 and an Expediter has been hired. She suggested that the Assessment Center Team be reconvened one more time to answer remaining questions and take action to proceed.

Campbell suggested the Board hold a press conference in August to introduce the Expediter and announce programs the County intends to implement.

## BUDGET UPDATE CONTINUED

Kroeker reported that the Steering Committee received a request to open access on the elevators to transport prisoners a cost of \$17,950. The County will responsible for 80% of this cost.

**MOTION:** Hudkins moved and Heier seconded to authorize the third floor elevator entrance expense, with the County sharing the cost with the City on an 80/20 basis. On call Hudkins, Heier, Workman and Campbell. Steinman was absent from voting. Motion carried.

Kroeker briefly reviewed agency microcomputer requests (Exhibit B).

Brief discussion took place on computer equipment for the Adult and Juvenile Probation Offices, with a suggestion that Drug Forfeiture Funds be used to help cover the cost.

## ADDITIONS TO THE AGENDA

- a. Geotechnical Exploration Services for the Juvenile Detention Facility

Eagan reported that three bids were received, with Terracon submitting a low bid of \$3,925.

- b. County-City Building Evacuation Plan

Doug Ahlberg, Emergency Management Director, appeared and reported that he will be working with Don Killeen, County Property Manager, and representatives of Building and Safety to determine whether there are structurally sound areas in the County-City Building and Justice and Law Enforcement Center in which to shelter individuals in severe weather and to develop of an evacuation plan for the two buildings.

Ahlberg also recommended replacement of the radios currently utilized with plektron radios that can be mounted throughout the two buildings.

- c. Report on Meeting with Representatives of Lincoln Electric System (LES) and Norris Public Power District

Workman briefly reported on a meeting held with representatives of Lincoln Electric System (LES) and Norris Public Power District to discuss LES's long-range expansion plans. An additional meeting is scheduled on August 19<sup>th</sup>.

- d. Report on Waverly Fire Department

Workman reported that the City of Waverly and Waverly Rural Fire District have reached an agreement on fire protection and ambulance service.

- e. Planner for Stevens Creek Basin

Campbell reported that John Bradley, Interim Planning Director, has indicated that a planner will not be hired to start the planning process for the Stevens Creek Basin unless fees are increased. She stated this was not the County Board's intent and suggested that the matter be discussed in further detail with the City Council

### **13 CORRESPONDENCE TO THE COUNTY BOARD**

Campbell reported on correspondence received by the County Board that indicated the following:

- \* Raymond Central Future Business Leaders of American Chapter #6851 received second place in the state Future Business Leaders of America competition, for their work on the InterLinc Project. This qualified them for participation in the National Leadership Conference held this week in Chicago, Illinois and they were selected as one of ten projects in the nation to present an oral report.
- \* Lincoln Shooting Stars youth BB gun team, which is co-sponsored by Lincoln Parks and Recreation and Lincoln Jaycees, placed second in a recent state tournament and will compete in the national competition in Atlanta, Georgia in July.

Board consensus to recognize each of these groups for their achievements at a County Board meeting.

### **14 CORRESPONDENCE FROM THE COUNTY BOARD**

Campbell requested a follow-up on whether thank you letters had been sent to those State Senators that provided considerable assistance to the County in the introduction and support of legislation this legislative session.

Campbell also requested that a letter of appreciation be sent to Governor Johanns; Lori McClurg, Director of Department of Administrative Services; and Harold Clarke, Department of Correctional Services Director, thanking them for their consideration and assistance in planning for a heating and cooling system for the new Juvenile Detention Facility.

### **16 EMERGENCY ITEMS AND OTHER BUSINESS**

The Board requested that a file on correspondence and follow-up related to junked cars be created.

### **17 ADJOURNMENT**

By direction of the Chair, the meeting was adjourned.

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Bruce Medcalf  
Lancaster County Clerk